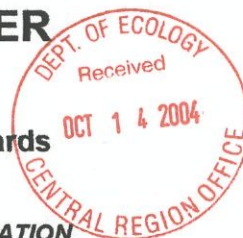




STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards



A MINIMUM FEE OF \$10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
☒ Add purpose(s) of use
☒ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☐ Other (i.e. consolidation, intertie, trust water)

Explain: _____

FOR OFFICE USE ONLY	
CS4-05259 CTCL	KITTITAS 39
CHANGE No. _____	WRIA _____
DATE ACCEPTED 10/20/04	BY [Signature]
FEE \$30 ⁰⁰	REC'D 10/14/04
CHECK No. 4498	
SEPA: <input checked="" type="checkbox"/> Exempt	<input type="checkbox"/> Not Exempt

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)

3 of 3

1. Applicant Information:

APPLICANT/BUSINESS NAME MountainStar Resort Development, LLC Attn: George Cockill	PHONE NO. (509) 649-3000	FAX NO. (509) 649-3059
ADDRESS 109 South First Street, PO Box 887		
CITY Roslyn	STATE WA	ZIP CODE 98941

CONTACT NAME (IF DIFFERENT FROM ABOVE) Joe Mentor, Jr. % Mentor Law Group, PLLC	PHONE NO. (206) 493-2300	FAX NO. (206) 493-2310
ADDRESS 2025 First Avenue, Suite 1100		
CITY Seattle	STATE WA	ZIP CODE 98121-2100

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Acquavella Court Claim No. 05259 (October 30, 1884)	RECORDED NAME (S): MTA Holdings, LLC
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

COURT CLAIM 05259 (10-30-1884)
SUB 7 REEDER CREEK

CS4-05259 CTCL

REET 10-21-2004 [Signature]

3. Point(s) of Diversion/Withdrawal:**A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River		SW	NW	3	17	18 E.		

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River @ City of Cle Elum		SW	SE	27	20	15 E.		
Cle Elum River @ City of Cle Elum		SW	SE	30	20	15 E.		
Cle Elum River @ Winston Bridge (E)		NW	NE	14	20	14 E.		
Cle Elum River @ Winston Bridge (W)		E1/2	SW	11	20	14 E.		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NOPROPOSED: ☒ YES ☒ NO – IF NO, PROVIDE OWNER (S) NAME: **City of Cle Elum and MountainStar Resort Development, LLC**

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above points(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:**A. Existing**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 20 acres	0.5 cfs	195 AF/YR	April 1 to October 31

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal Purpose and Flow Augmentation	0.5 cfs	195 AF/YR	April 1 to October 31

5. Place of Use:**A. Existing**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
That portion of the NW ¼ NW ¼ of Section 11 lying northeasterly of Klein Coble Ditch right-of-way and westerly of a slough that borders the property in T. 17 N., R. 18 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	11	17	18 E.	Kittitas		20
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: MTA Holdings, LLC							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Area served by MountainStar Resort Resources, Inc., in accordance with a water system comprehensive plan or update approved by Washington Department of Health in Secs. 11, 13-15, 23-25, T. 20 N., R. 14 E.W.M., and Secs. 18-21, 28-31, T. 20 N., R. 15 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☒ YES ☐ NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): CS4-YRB07CC01724@1, CS4-YRB07CC01724 @2, CS4-YRB07CC01724 @3, CS4-YRB07CC01724 @4, CS4-YRB07CC01724 @5 and CS4-YRB07CC01724 @6

6. Remarks and Other Relevant Information:

IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___


7. Signatures:


I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Applicant and Water Right Holder:

MOUNTAINSTAR RESORT DEVELOPMENT, LLC, a Delaware limited liability company

BY: EASTON RIDGE INVESTORS, LLC, a Delaware limited liability company, its Managing Member

By: 
Name: WILLIAM G. HUNT
Its: EVP
Dated: 10-1-04

By: 
Name: DEL E. GOEHRING
Its: Vice President
Dated: 10/4/04

Land Owner, Existing Place of Use:

See Purchase and Sale Agreement / /

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ___/___/___